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Social Finance, Inc. d/b/a SoFi and
SoFi Lending Corp. d/b/a SoFi*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RUBEN JUAREZ and CONSTANTIN CALIN
SEGARCEANU, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

SOCIAL FINANCE, INC. d/b/a SOFI, and
SOFI LENDING CORP. d/b/a SOFI,

Defendants.

CASE NO: 4:20-cv-03386-HSG

**JOINT STIPULATION AND
ORDER TO CONTINUE HEARING**

Complaint Filed: May 19, 2020
First Amended Complaint Filed: July 30, 2020

District Judge Haywood S. Gilliam

Pursuant to Civil Local Rule 6-2, Plaintiffs Ruben Juarez and Calin Constantin Segarceanu (“Plaintiffs”), through counsel, along with counsel for Defendants Social Finance, Inc. d/b/a SoFi and SoFi Lending Corp. d/b/a SoFi (collectively, “SoFi,” and together with Plaintiffs, the “Parties”), respectfully submit the following Joint Stipulation and Proposed Order to Continue the Hearing on SoFi’s Motion to Compel Arbitration, or in the Alternative Dismiss, or in the Alternative Strike Portions of Plaintiffs’ First Amended Complaint (“Dispositive Motion”) (D.E. 38).

RECITALS

WHEREAS, on May 19, 2020, Plaintiff Juarez filed a putative class action Complaint against SoFi in the above-captioned matter (D.E. 1);

WHEREAS, on June 5, 2020, Plaintiff Juarez and SoFi filed a Joint Stipulation to Extend Time to Respond to Initial Complaint, extending the time for SoFi to respond to the Complaint for a period of twenty-one days (D.E. 14);

WHEREAS, on July 7, 2020, Plaintiff Juarez and SoFi filed a Joint Stipulation to Set a Briefing Schedule in Response to Plaintiff’s Complaint, pursuant to which the parties requested a seven-day extension to the standard briefing schedule for any dispositive motion filed by SoFi (D.E. 24), which the Court granted on July 7, 2020 (D.E. 26);

WHEREAS, on July 9, 2020, SoFi filed a Motion to Compel Arbitration, or in the Alternative Dismiss, or in the Alternative Strike Portions of Plaintiff’s Complaint (D.E. 28), and a Motion to Stay Discovery, or in the Alternative, Bifurcate Discovery (“Motion to Stay”) (D.E. 29);

WHEREAS, on July 10, 2020, Plaintiff Juarez and Sofi filed a Joint Stipulation to Set a Briefing Schedule in Response to Defendants’ Motion to Stay to align the briefing schedule and hearing date for Defendants’ Motion to Stay with Defendants’ Motion to Compel Arbitration, or in the Alternative Dismiss, or in the Alternative Strike (D.E. 30), which the Court granted on July 14, 2020 (D.E. 31);

WHEREAS, on July 30, 2020, Plaintiff Juarez and Sofi filed a Joint Stipulation to Set a Briefing Schedule Regarding Plaintiffs’ First Amended Complaint and to Continue the CMC,

1 requesting that the briefing schedule for any dispositive motion in response to Plaintiff's proposed
 2 amended complaint be extended by 7 days, and that the case management conference and
 3 accompanying deadlines be extended to September 22, 2020 (D.E. 32), which the Court granted
 4 on July 31, 2020 (D.E. 34);

5 WHEREAS, on July 30, 2020, Plaintiffs filed the First Amended Complaint (D.E. 33);

6 WHEREAS, on August 31, 2020, SoFi filed a Motion to Compel Arbitration, or in the
 7 Alternative Dismiss, or in the Alternative Strike Portions of Plaintiffs' First Amended Complaint
 8 ("Dispositive Motion") (D.E. 38), which Plaintiffs opposed on September 21, 2020 (D.E. 41), and
 9 to which SoFi replied on October 5, 2020 (D.E. 43);

10 WHEREAS, on September 14, 2020, the Court, *sua sponte*, continued the case
 11 management conference previously set for September 22, 2020 to November 5, 2020, to be
 12 conducted along with the hearing on SoFi's Dispositive Motion (D.E. 40);

13 WHEREAS, on October 8, 2020, the Parties submitted a Joint Stipulation and Proposed
 14 Order to Stay Discovery and Continue the Case Management Conference pending a decision on
 15 SoFi's Dispositive Motion (D.E. 44), which the Court granted on October 8, 2020 (D.E. 45).

16 WHEREAS, on October 23, 2020, the Court continued the pending hearing on SoFi's
 17 Dispositive Motion to November 12, 2020 (D.E. 46).

18 WHEREAS, Plaintiffs' counsel is unavailable on November 12 due to other obligations,
 19 including an ABA panel presentation and another hearing;

20 WHEREAS, having met and conferred, the Parties respectfully request that the November
 21 12 hearing be continued to December 3, 2020, as the Court's schedule permits;

22 **STIPULATION**

23 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs
 24 and SoFi through their respective undersigned counsel that:

- 25 1. The pending November 12, 2020 hearing on SoFi's Dispositive Motion is continued to
 26 December 3, 2020 at 2 p.m.
- 27 2. The requested continuation will not affect any other deadlines set by the Court in this
 28 case.

3. This stipulation is without prejudice to the rights, claims, arguments, and defenses of all Parties; and

4. All other signatories listed, and on whose behalf the filing is submitted, concur with the content in this Stipulation and have authorized the filing.

IT IS SO STIPULATED.

DATED: November 5, 2020

MCGUIREWOODS LLP

By: /s/ K. Issac deVyver

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SoFi Lending Corp. d/b/a SoFi

DATED: November 5, 2020

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**Pro hac vice* application pending

Attorneys for Plaintiffs and the Proposed Class

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATED: 11/6/2020

A handwritten signature in black ink, reading "Haywood S. Gilliam, Jr.", written over a horizontal line.

Haywood S. Gilliam, Jr.
United States District Judge